

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

Complaint on Sunday
and Holiday Collections

Docket No. C2001-1

MOTION OF THE UNITED STATES POSTAL SERVICE
FOR EXTENSION OF TIME TO
RESPOND TO PENDING DISCOVERY
(May 24, 2001)

Since the Presiding Officer issued a ruling last Friday authorizing discovery, two sets of questions have been received. On Monday, May 21, a set of 18 questions was filed by Mr. Carlson, and on Tuesday, May 22, a set of 14 questions was filed by the OCA. Under the applicable rules, objections would be due in 10 days (i.e., May 31 and June 1, respectively), and answers would be due in 14 days (June 4 and 5, respectively). The Postal Service hereby requests that both sets be treated, in essence, as if filed on May 29th. The result of such treatment would be that objections for either set would be due on or before Friday, June 8, and answers would otherwise be due on or before Tuesday, June 12.

The critical impetus for this request is the extended absence from the office of the individual primarily responsible for the coordination of guidance to the field regarding holiday operations, who is also the individual with the most relevant knowledge of collection practices. He has been out of the office this entire week, and is scheduled to be out of the office at least until June 4. Since most of the Carlson questions and virtually all of the OCA questions involve matters related to collection, it has been impossible even to begin to evaluate a substantial portion of the inquiries

posed. With regard to those items, the review process cannot begin until the week of June 4th.

Even with regard to the items that are largely unaffected by the absence of that individual, the range and scope of the questions is hindering any ability to respond quickly. As the Commission is aware, since the Postal Service does not initiate complaint cases, there are no staff resources earmarked for responding to discovery requests, as would usually be the case in a rate or classification proceeding started at our request. This factor alone makes the 14-day discovery timetable difficult in complaint cases. Moreover, as Mr. Carlson correctly anticipated, some of his requests seek such vast quantities of information that merely trying to figure out where to begin looking is a time-consuming process. Until the Postal Service can determine whether any information is available, and, if some is, how burdensome it would be to produce, decisions as basic as whether to answer or object cannot be rationally addressed.

The parties can be assured, however, that in those areas in which it has been possible (e.g., mail processing), efforts are underway to explore what might be available and how it might be retrieved. The purpose of this request is not to allow the Postal Service to be able to ignore the questions for a week, but rather to provide the time necessary to respond under the current totality of circumstances. Moreover, once the universe of available information can be identified, it seems likely that some amount of informal consultation and negotiation would be preferable to automatic resort to discovery motions practice. The relief sought by this motion would provide an additional measure of flexibility in that regard. (Efforts to reach counsel for the OCA by phone today to obtain their views on this motion were not successful. Mr. Carlson does

not oppose this motion, in exchange for agreement by the Postal Service not to oppose any motion this delay might cause him to need to file in terms of extending the overall deadline for discovery.)

Wherefore, the Postal Service respectfully requests leave to treat DFC/USPS-1 through 18, and OCA/USPS-1 through 14, for purpose of filing objections or answers, as if they had been filed with the Commission on May 29.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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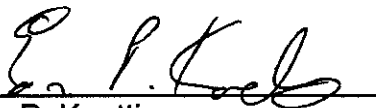
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CERTIFICATE OF SERVICE

I hereby certify that, in accordance with section 12 of the Rules of Practice, I have this day served the foregoing document upon:

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